

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In Re:	)	Bankruptcy No. 23-30352
	)	Chapter 11 – Subchapter V
Drain Services Inc.,	)	
	)	
Debtor.	)	
	)	

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**ORDER GRANTING INTERIM RELIEF ON  
MOTION FOR LEAVE TO USE CASH COLLATERAL**

Debtor Drain Services Inc. filed a Motion for Leave to Use Cash Collateral. Doc. 8. Choice Financial Group filed an objection. On October 6, 2023, the Court held a preliminary hearing on the motion. Based on the motion, exhibits and other evidence received during the October 6, 2023, hearing, the Court finds that use of a limited sum of cash collateral during the interim period is necessary to avoid immediate and irreparable harm. More specifically, the relief provided in this Order is necessary to maintain the Debtor's operations during the interim period. Accordingly, for the reasons stated on the record,

**IT IS ORDERED:**

1. The Motion is GRANTED on an interim basis.
2. Consistent with the weekly budget proposed, Debtor is authorized to use not more than \$20,000 in cash collateral during the interim period, October 2, 2023, to October 17, 2023.
3. As adequate protection for Debtor's use of cash collateral, the Court finds that equity in Debtor's property serves as adequate protection for the limited use of cash collateral. Additionally, Debtor agreed to grant Choice Financial Group, the United States

Small Business Administration and the Internal Revenue Service replacement liens on cash generated by Debtor during the course of its Chapter 11 case up to the full sum of the cash collateral Debtor uses. Accordingly, to the extent Debtor uses prepetition cash collateral in which Choice Financial Group, the United States Small Business Administration and/or the Internal Revenue Service hold a security interest, Debtor is authorized to grant these creditors replacement liens, pursuant to 11 U.S.C. § 552, in Debtor's post-petition cash of the same priority, dignity, and effect as the prepetition liens on the prepetition property; provided such replacement liens will not attach to avoidance actions or other actions under Chapter 5 of the Bankruptcy Code or any proceeds or recoveries from them. The liens and security interests granted shall be effective and perfected without further act by any party.

The final hearing on this matter will be held on October 17, 2023, at 2:00 p.m.  
The deadline to object to final relief is noon on October 17, 2023.

Dated: October 6, 2023.



SHON HASTINGS, JUDGE  
UNITED STATES BANKRUPTCY COURT